

No. 11(112)-3Lab-78/8843.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workmen and the management of M/s Kay Iron Works (P) Ltd., Yamunanagar :—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 96 of 1977

between

SHRI RAGHUBIR SINGH, WORKMAN AND THE MANAGEMENT OF M/S KEY IRON WORKS (P) LTD., YAMUNANAGAR

Present .—

Shri Raghbir Singh, applicant in person.

Shri R. L. Gupta, for the management.

#### AWARD

By order No. ID/FD/284-77/28864, dated the 4th August, 1977, the Governor of Haryana, referred the following dispute between the management of M/s Kay Iron Works Private Ltd., and its workman Shri Raghbir Singh, to this Court for adjudication, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Raghbir Singh was justified and in order?  
If not, to what relief is he entitled?

On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, the following issues were framed by my learned predecessor on 29th December, 1977:—

Whether the workman concerned over stayed his leave sanctioned till 1st May, 1977 and lost his lien on the job held by him as a result of his absence from duty till 14th May, 1977 under the Certified Standing Orders applicable to him?

2. Whether the termination of services of Shri Raghbir Singh was justified and in order?  
If not, to what relief is he entitled?

The case was fixed for the evidence of the management. The management obtained there adjournments for adducing their evidence. Lastly the dispute settled between the parties according to which the management shall pay a sum of Rs 620 to the workman. This amount shall be paid to the workman in addition to the advances received by the workman from the management previously. All the advances received by the workman from the management shall be adjusted and after adjustment, the above said sum of Rs 620 shall be paid to the workman and thereafter the termination of services of the workman shall be deemed as justified and in order and the workman shall have no right to reinstatement or re-employment or back wages etc. In view of this settlement, I answer the reference and give my award that the management shall pay a sum of Rs 620 to the workman and shall not recover any amount against advances made to the workman previously, as the management has agreed to adjust the amount of the said advances and thereafter to pay the said sum of Rs 620 to the workman. After the payment of the said sum of Rs 620 to the workman after adjusting the amount of advances against other dues of the workman, the termination of services of the workman shall be deemed as justified and in order. The workman shall not be entitled to reinstatement or re-employment or to back wages.

Dated the 29th September, 1978.

NATHU RAM SHARMA,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

No. 2703, dated 26th September, 1978

Forwarded (four copies), to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.